

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA
WILKES-BARRE DIVISION**

In re: Randy W. Polons, Debtor, CSMC 2019-RPL7 Trust, Movant, v. Randy W. Polons, Debtor/Respondent, Jack N Zaharopoulos, Trustee/Respondent.	Bankruptcy No. 5:24-bk-00794-MJC Chapter 13 Related to Doc. No. 19
--	--

**CSMC 2019-RPL7 TRUST'S OBJECTION TO CONFIRMATION OF
DEBTOR'S CHAPTER 13 PLAN**

CSMC 2019-RPL7 Trust, ("CSMC"), by and through its undersigned counsel, hereby objects to the proposed Chapter 13 Plan of Debtor, Randy W. Polons, and in support thereof alleges as follows:

1. Debtor, Randy W. Polons, filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on April 3, 2024.
2. CSMC holds a security interest in the Debtor's real property located 1365 Trailwood Lake Road, Wilkes-Barre, PA 18702 (the "Property"), by virtue of a Mortgage recorded with the Luzerne County Recorder of Deeds on April 19, 2007 in Instrument No. 5760094 which has ultimately been assigned to CSMC 2019-RPL7 Trust.
3. Said Mortgage secures a Note in the amount of \$66,514.78

24-202619
POLONS, RANDY
Objection to Confirmation
Page 1

4. Upon review of internal records, it is anticipated that CSMC 2019-RPL7 Trust Proof of Claim will include a pre-petition arrearage of approximately \$8,922.11 a true and correct copy of the pre-petition arrearage is attached hereto as Exhibit “A.”
5. On May 15, 2024, Debtor filed a Chapter 13 Plan (the “Plan”) A true and correct copy of the Plan is attached hereto as Exhibit “B.”
6. The Plan fails to account for the full pre-petition arrearage of \$8,922.11 as it only provides a total of \$8,111.84 that will be paid to Secured Creditor through the Plan. See Exhibit “B.”
7. Thus, the Plan is understated as it does not accurately reflect the amount of the pre-petition arrearage which will be paid through the Chapter 13 Trustee’s Office.
8. Accordingly, pursuant to 11 U.S.C.A. § 1325(a)(5) CSMC hereby objects to Debtor’s proposed Plan due to the fact that the value of the property to be distributed thereunder will be less than the allowed amount under the claim. See 11 U.S.C.A. § 1325(a)(5)(B)(ii).

WHEREFORE, Secured creditor CSMC 2019-RPL7 Trust, respectfully requests that this Court not confirm the Chapter 13 Plan of Debtor, Randy W. Polons.

Respectfully Submitted,

Robertson, Anschutz, Schneid, Crane & Partners, PLLC

Authorized Agent for Secured Creditor
13010 Morris Rd., Suite 450
Alpharetta, GA 30004
Phone: (470) 321-7112
Fax: (404) 393-1425

24-202619
POLONS, RANDY
Objection to Confirmation
Page 2

By: /s/Robert Shearer
Robert Shearer, Esquire
Pennsylvania Bar Number 83745
Email: rshearer@raslg.com

Date: June 7, 2024

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA
WILKES-BARRE DIVISION**

In re: Randy W. Polons, Debtor, CSMC 2019-RPL7 Trust, Movant, v. Randy W. Polons, Debtor/Respondent, Jack N Zaharopoulos, Trustee/Respondent.	Bankruptcy No. 5:24-bk-00794-MJC Chapter 13 Related to Doc. No. 19
--	--

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 7, 2024, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, and a true and correct copy has been served via CM/ECF or United States Mail to the following parties:

Michael A. Cibik
Cibik Law, P.C.
1500 Walnut Street
Suite 900
Philadelphia, PA 19102

24-202619
POLONS, RANDY
Objection to Confirmation
Page 4

Jack N Zaharopoulos
Standing Chapter 13 (Trustee)
8125 Adams Drive, Suite A
Hummelstown, PA 17036

United States Trustee
US Courthouse
1501 N. 6th St
Harrisburg, PA 17102

Randy W. Polons
554 Trailwood Lake Rd
Bear Crk Twp, PA 18702-8511

Respectfully Submitted,

**Robertson, Anschutz, Schneid, Crane &
Partners, PLLC**

Authorized Agent for Secured Creditor
13010 Morris Rd., Suite 450
Alpharetta, GA 30004
Phone: (470) 321-7112
Fax: (404) 393-1425

By: /s/Robert Shearer
Robert Shearer, Esquire
Pennsylvania Bar Number 83745
Email: rshearer@raslg.com